



Written by [Dave Bohon](#) on April 13, 2011

Dont Ask, Dont Tell Repeal Threatens Religious Liberty in Military, White Paper Warns

During a recent visit to the Camp Liberty military establishment in Iraq, [Gates told troops](#) that he guessed they wouldn't notice "much change at all because the whole thrust of the training is you're supposed to go on treating everybody like you're supposed to be treating everybody now, with dignity, respect and discipline." He insisted that "the same kind of military discipline that applies to — and regulations that apply to heterosexual relationships — will apply in terms of homosexual relationships."



But that's not how experts see it. In addition to the obvious dangers of weakened morale and the threat to troop cohesion that seasoned soldiers and high-level officers have predicted will be a consequence of the change, a senior researcher with the [Heritage Foundation](#) is warning that religious liberty may also take a big hit in the military. A new [white paper](#) by Charles Donovan, senior research fellow at the Foundation's Richard and Helen DeVos Center for Religion and Civil Society, notes that the hurry-up campaign by the Obama administration and the Democrat-controlled Congress to quickly overturn the 17-year official ban left military chaplains and others with very little opportunity to raise crucial concerns about how the change will impact free speech and religious liberty for personnel.

Heritage blogger Sarah Torre noted that an April 7 House Armed Services Committee hearing was one of the first major discussions in the House on the potential impact of the move since the President mentioned lifting the ban in his State of the Union address last year. "Such delayed discussion is one of the many concerns surrounding the reversal of the 1993 law banning open homosexuals from serving in the armed forces," wrote Torre. She noted that "without adequate deliberation on the ramifications of repealing 'Don't Ask, Don't Tell,' military chaplains and service members with moral and religious concerns were left with many unanswered questions. Can chaplains teach that homosexual conduct is immoral as they see appropriate? Can they participate in marriage counseling that promotes marriage between a man and a woman? Are service members allowed to civilly disagree with and discuss the



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policy change without risking their careers?"

In his report, Donovan writes that the lack of official discussion on the impact of the repeal "poses significant risk for military service members and chaplains who, as matters of religious or moral conviction, hold to traditional values regarding marriage and sexual behavior." Because the ambiguous recommendations made by the Pentagon's Comprehensive Review Working Group (CRWG) threaten the free speech liberties (not to mention the careers) of service members whose moral convictions are at odds with the repeal, Donovan charges that Congress has "a profound responsibility to monitor the implementation process," not only assuring that the liberties of these service personnel are protected, "but also that the 2010 repeal law itself is subject to continuing and candid reassessment."

Donovan notes that before the CRWG even produced its report, "a distinguished group of former chaplains wrote to President Obama and Secretary of Defense Gates" to explain at length how repealing "Don't Ask, Don't Tell" would threaten the religious liberties "of chaplains and the service men and women they support and guide."

Among the probing questions the chaplains asked the President and his Defense Secretary relative to the repeal, are these: Would chaplains be able to:

- Present religious teachings that identify homosexual behavior as immoral?
- Teach classes in moral leadership and ethics on military bases and in branch schools?
- Participate freely in such programs as the Army's "Strong Bonds" initiative to help service members strengthen and preserve their marriages?

"Moreover," asks Donovan, "how would the expression of such teachings or, for example, a chaplain's insistence on the right to conduct marriage counseling in accord with the doctrinal beliefs of his or her denomination be insulated from adverse personnel actions?" In other words, could a chaplain — or any service member, for that matter — with specific moral convictions against homosexual behavior be denied promotion or even drummed out of the military for voicing his or her opinions?

Because the President and Secretary of Defense worked with a lame-duck, Democrat-controlled Congress to make the repeal a slam-dunk certainty, and then placed implementation of the repeal on a fast track that provided very little opportunity to discuss the myriad implications of such a move, Congress was left with "inadequate oversight" of the process. That flaw now needs to be remedied by Congress, Donovan argues:

Congress can begin to remedy that inadequacy by paying close attention to the impact of the Department of Defense implementation process on the religious liberty and free speech rights of service members and chaplains in the unique conditions of military service. Continuing oversight will also be needed with respect to the potential for proposed policies on open homosexuality to conflict with and weaken federal law regarding the institution of the family and marriage as the union of a man and a woman.

Finally, concludes Donovan, "Congress should ensure that regular reviews of the law occur, with service members and the public given full freedom to express their views on maintaining or amending every aspect of the policy."

Click to download a PDF of Charles Donovan's full paper, [A Clash of Integrities: Moral and Religious Liberty in the Armed Forces](#).

Photo: Secretary of Defense Robert Gates



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